

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

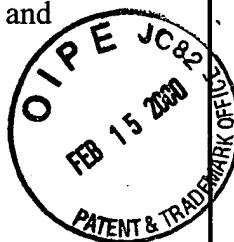
In re the application of: Allan Balmain and  
Jingde Zhu

Serial No.: 09/051,159

Filed: April 2, 1998

For: ANTITUMOUR VECTOR CONSTRUCTS  
AND METHODS

Attorney Docket No.: CCI-005US



Assistant Commissioner for Patents  
Washington, D.C. 20231

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By:

*Giulio A. DeConti, Jr., Esq.*

Reg. No. 31.503

Attorney for Applicants

**REQUEST FOR RECONSIDERATION OF PETITION PURSUANT**  
**TO 37 C.F.R. § 1.47 (a)**

Dear Sir:

Applicant requests reconsideration of the Petition Pursuant to 37 C.F.R. §1.47(a) filed on 13 January 1999. The second named inventor, Dr. Jingde Zhu, has refused to join in the above-referenced application for patent.

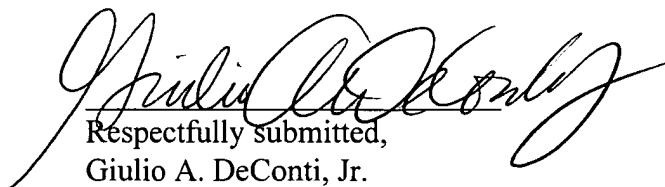
In support of this petition, Applicant submits herewith a second Affidavit In Support Of Petition Pursuant To 37 C.F.R. 1.47(a) By Anne Zwirlein and Margaret Roberts (with Appendix A) stating the pertinent facts which set forth Applicant's diligent efforts to contact Dr. Zhu and Dr. Zhu's express oral refusal to sign a Declaration,

Petition, and Power of Attorney document for the above-referenced application. In addition, although it is not believed by Applicant to be necessary, Applicant further submits an Affidavit In Support Of Petition Pursuant To 37 C.F.R. 1.47(a) By Simon Kiddle (with Appendices B and C). The Affidavit by Simon Kiddle sets forth pertinent facts relating to a further attempt to contact Dr. Zhu, which also failed to result in Dr. Zhu's execution of a Declaration, Petition, and Power of Attorney document for the above-referenced application. The last known address of Dr. Zhu is 68 Deveron Road, Glasgow, G61 1LN, Great Britain. The appropriate fee for consideration of the petition pursuant to 37 C.F.R. 1.17(i) was filed on 13 January 1999.

**Petitioner's Request**

In view of the above and the facts set forth in the accompanying Affidavits, Petitioner requests that the application be found acceptable pursuant to 37 C.F.R. 1.47(a) given the refusal of Dr. Zhu to sign the Declaration, Petition, and Power of Attorney Document for the above-identified application.

Respectfully submitted,



Respectfully submitted,

Giulio A. DeConti, Jr.

Reg. No. 31,503

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, MA 02109

(617) 227-7400

Dated: February 10, 2000